

DOCKET NO. 8229-017-27 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JIM HUNTER, ET AL.

SERIAL NO.: NEW CIP APPLICATION

FILING DATE: HERewith

FOR: HIGH CONTRAST GRATING LIGHT VALVE

REQUEST FOR DECLARATION OF INTERFERENCE, 37 C.F.R. §1.607 & 608

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Pursuant to the provisions of the above-captioned Rules, Applicants request a declaration of an interference between the above-captioned patent application and U.S. Patent 6,169,624.

Pursuant to the provisions of Rule 608, Applicants believe they are entitled to a judgment vis-a-vis the '624 patentees, *prima facie*, on the basis of prior invention and correct designation of inventors in the '624 patent, and possibly derivation. Upon indication of otherwise allowable subject matter, Applicants will present papers fully complying with Rule 608.

The provisions of Rule 607 are complied with *seriatim*, as follows:

1. The patent with which an interference is requested is U.S. Patent 6,169,624.
2. Applicants advance as a proposed count Claim 23 of the '624 patent, or Claim 1 of the above-captioned patent application, which are substantially identical.
3. Applicants identify as at least one claim in the patent corresponding to the proposed count, Claim 23.

4. Applicants presented Claims 1-7 herein, each of which is believed to correspond to the proposed count.

5. This provision is not applicable.

6. The conditions of 35 U.S.C. §135(b) are met. The '624 patent issued January 2, 2001. This application was filed less than a year after the issue date of the '624 patent.

In compliance with the provisions of 37 C.F.R. §1.607(c), Applicants advise that Claim 1 of the above-captioned patent application was substantially copied from Claim 23 of the '624 patent.

Respectfully submitted,

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